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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 3454/2024**

SHAMSHAD ALI

.....Petitioner

Through: Mr. Kapil Singhal, Advocate *via*
video-conferencing.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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06.11.2024

CRL.M.A. 32044/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

CRL.M.(BAIL) 1759/2024

By way of the present application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner/applicant seeks interim bail for a period of 30 days in case FIR No. 0110/2018 dated 16.05.2018 registered under sections 302/307/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Jagat Puri, Delhi on the ground that his daughter's wedding is scheduled for 12.11.2024.

2. For the record, in the main petition as originally filed, the petitioner had sought interim bail on the ground that he needs time for post-operative care, having undergone glaucoma surgery, which ground



was however subsequently dropped as recorded in order dated 23.10.2024 in the present proceedings.

3. Notice on the present application was issued on 23.10.2024; pursuant to which the State was directed to verify the documents appended to the present application.
4. Mr. Tarang Srivastava, learned APP appearing on behalf of the State submits, that though the Investigating Officer ('I.O.') is not present in court today, since the matter was also listed yesterday *i.e.* 05.11.2024, the I.O. had brought the status report which confirms that the wedding of the petitioner's daughter is scheduled for 12.11.2024 at the petitioner's residence in Khureji Khas, Delhi, with another function scheduled for 13.11.2024.
5. Learned APP submits, that while considering the petitioner's plea for interim bail, the court may also bear in mind that, as recorded in order dated 08.10.2024, the complainant has raised a grievance that every time the petitioner is released on interim bail, he files false complaints against the complainant, three of which have been registered in Bijnor, Uttar Pradesh.
6. Be that as it may, considering the grounds cited for seeking interim bail which stand duly verified by the State, this court is persuaded to allow the present application, thereby directing that the petitioner – **Shamshad Ali s/o Ali Ahmed** – *be released on interim bail for a period of 07 days from 10.11.2024 to 17.11.2024* subject to the following conditions :
 - 6.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rs. Twenty-five Thousand Only) with 02 sureties



- in the like amount, at least 01 of which should be from a family member, to the satisfaction of the learned Trial Court;
- 6.2. The petitioner shall not leave the State of Delhi without permission of the court and shall *ordinarily* reside at the address mentioned in the application;
- 6.3. The petitioner shall furnish to the Investigating Officer, P.S.: Jagat Puri, Delhi a cell-phone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 6.4. If the petitioner has a passport, he shall surrender the same to the learned Trial Court and shall not travel out of the country without prior permission of the learned Trial Court;
- 6.5. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial. More specifically, the petitioner shall neither contact nor interact, whether directly or indirectly, with the complainant in any manner whatsoever;
- 6.6. Upon expiry of the period of interim bail as mentioned above, the petitioner shall surrender before the concerned Jail Superintendent *without delay*.
7. Nothing in this order shall be construed as an expression of opinion on the merits of the pending trial.



8. A copy of the order be sent to the concerned Jail Superintendent *forthwith* for information and compliance.
9. The application stands disposed-of.

BAIL APPLN. 3454/2024

10. In view of what has come to be recorded in order dated 23.10.2024, the petitioner does not wish to press the ground cited by way of the main petition for release on interim bail.
11. The main bail petition is accordingly dismissed as not pressed.
12. The bail petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.
14. The date of 19th December 2024 stands cancelled.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 6, 2024

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